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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,583	07/25/2003	Ole Sibbesen	078883-0165	9539

22428 7590 01/28/2010

FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 01/28/2010

Please find below and/or attached an Office communication concerning this application or proceeding.

Defective Appeal-Brief

Upon further review, the Appeal-Brief submitted on 05/27/09 is found to be defective for the following reasons:

1) The "Summary of Claimed Subject matter" appearing on pages 4-5 of the Appeal Brief filed May 27, 2009 is deficient because it maps independent claims 56 and 60 to the Patent Publication and not to the Specification as filed with the application as required (37 C.F.R. § 41.37(d)). Correction is required.

2) Appellants are required to submit a "paper" which corrects the Appeal Brief's Summary of Claimed Subject Matter under 37 C.F.R. §41.37(c)(1)(v); Correction is required.

3) Any new brief submitted should point only to the previously presented arguments dated 05/27/09 and Reply to Brief dated 10/15/09 and applicants cannot present any new arguments with the amendments.

Final Comments

To insure that each document is properly filed in the electronic file wrapper, it is requested that each of amendments to the specification, amendments to the claims, Applicants' remarks, requests for extension of time, and any other distinct papers be submitted on separate pages.

It is also requested that Applicants identify support, within the original application, for any amendments to the claims and specification.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ganapathirama Raghu whose telephone number is 571-272-4533. The examiner can normally be reached between 8 am-4:30 pm EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

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supervisor, Andrew Wang can be reached on 571-272-0811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300 for regular communications and for After Final communications. Any inquiry of a general nature or relating to the status of the application or proceeding should be directed to the receptionist whose telephone number is 571-272-1600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Ganapathirama Raghu/
Patent Examiner
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